

**RECEIVED
CENTRAL FAX CENTER**

Faxied to 703-872-9306 on 08/16/2004

Docket No. CQC14NP

AUG 16 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Painter et al
Filed: 12/21/2001
App. No.: 10/037,966
For: Multi-layer dispersion-engineered
waveguides and resonators

Art Unit: 2874
Examiner: John D Lee

OFFICIAL**REQUEST FOR CONTINUED EXAMINATION UNDER 37 CFR §1.114
AMENDMENT AND REQUEST FOR RECONSIDERATION UNDER 37 CFR §1.111**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

08/16/2004

Sir:

Please amend the above-named application as set forth hereinbelow. The amendments are presented in accordance with the Revised Amendment Practice set forth in 37 CFR § 1.121 effective 07/30/2003. Please consider the Remarks set forth hereinbelow, made in response to the Office Action dated 06/21/2004 (*Ex parte Quayle*). Since the previous Office Action closed prosecution of the application, Applicants hereby request continued examination of the application. Form PTO/SB/30 Request for Continued Examination, and the fee required therefor, are included herewith.

Amendments to the Claims are reflected in the listing of Claims which begins on page 2 of this paper.

Remarks begin on page 25 of this paper.

Faxed to 703-872-9306 on 08/16/2004



~~Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.~~

~~Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.~~

SC 004 FEE TRANSMITTAL for FY 2004		Complete If Known
<i>Effective 10/01/2003. Patent fees are subject to annual revision.</i>		Application Number 10/037,968
✓ Applicant claims small entity status. See 37 CFR 1.27		Filing Date 12/21/2001
TOTAL AMOUNT OF PAYMENT (\$) 385		First Named Inventor Painter
		Examiner Name John D Lee
		Art Unit 2874
		Attorney Docket No. CQC14NP

METHOD OF PAYMENT (check all that apply)				FEE CALCULATION (continued)																																																																																											
<input type="checkbox"/> Check <input checked="" type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input type="checkbox"/> Deposit Account: Deposit Account Number Deposit Account Name				3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity</th> <th>Small Entity</th> </tr> </thead> <tbody> <tr> <td>Fee Code (\$)</td> <td>Fee Code (\$)</td> </tr> <tr> <td>1051 130</td> <td>2051 86</td> <td>SurchARGE - late filing fee or oath</td> </tr> <tr> <td>1052 50</td> <td>2052 25</td> <td>SurchARGE - late provisional filing fee or cover sheet</td> </tr> <tr> <td>1053 130</td> <td>1053 130</td> <td>Non-English specification</td> </tr> <tr> <td>1812 2,520</td> <td>1812 2,520</td> <td>For filing a request for ex parte reexamination</td> </tr> <tr> <td>1804 920*</td> <td>1804 920*</td> <td>Requesting publication of SIR prior to Examiner action</td> </tr> <tr> <td>1805 1,840*</td> <td>1805 1,840*</td> <td>Requesting publication of SIR after Examiner action</td> </tr> <tr> <td>1251 110</td> <td>2251 55</td> <td>Extension for reply within first month</td> </tr> <tr> <td>1252 420</td> <td>2252 210</td> <td>Extension for reply within second month</td> </tr> <tr> <td>1253 950</td> <td>2253 475</td> <td>Extension for reply within third month</td> </tr> <tr> <td>1254 1,480</td> <td>2254 740</td> <td>Extension for reply within fourth month</td> </tr> <tr> <td>1255 2,010</td> <td>2255 1,005</td> <td>Extension for reply within fifth month</td> </tr> <tr> <td>1401 330</td> <td>2401 185</td> <td>Notice of Appeal</td> </tr> <tr> <td>1402 330</td> <td>2402 165</td> <td>Filing a brief in support of an appeal</td> </tr> <tr> <td>1403 280</td> <td>2403 145</td> <td>Request for oral hearing</td> </tr> <tr> <td>1451 1,510</td> <td>1451 1,510</td> <td>Petition to institute a public use proceeding</td> </tr> <tr> <td>1452 110</td> <td>2452 65</td> <td>Petition to revive - unavoidable</td> </tr> <tr> <td>1453 1,330</td> <td>2453 665</td> <td>Petition to revive - unintentional</td> </tr> <tr> <td>1501 1,330</td> <td>2501 665</td> <td>Utility issue fee (or reissue)</td> </tr> <tr> <td>1502 480</td> <td>2502 240</td> <td>Design issue fee</td> </tr> <tr> <td>1503 840</td> <td>2503 320</td> <td>Plant issue fee</td> </tr> <tr> <td>1460 130</td> <td>1460 130</td> <td>Petitions to the Commissioner</td> </tr> <tr> <td>1807 50</td> <td>1807 50</td> <td>Processing fee under 37 CFR 1.17(q)</td> </tr> <tr> <td>1808 180</td> <td>1808 180</td> <td>Submission of Information Disclosure Stmt</td> </tr> <tr> <td>8021 40</td> <td>8021 40</td> <td>Recording each patent assignment per property (times number of properties)</td> </tr> <tr> <td>1809 770</td> <td>2809 385</td> <td>Filing a submission after final rejection (37 CFR 1.128(a))</td> </tr> <tr> <td>1810 770</td> <td>2810 385</td> <td>For each additional invention to be examined (37 CFR 1.128(b))</td> </tr> <tr> <td>1801 770</td> <td>2801 385</td> <td>Request for Continued Examination (RCE)</td> </tr> <tr> <td>1802 900</td> <td>1802 900</td> <td>Request for expedited examination of a design application</td> </tr> </tbody> </table>				Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	1051 130	2051 86	SurchARGE - late filing fee or oath	1052 50	2052 25	SurchARGE - late provisional filing fee or cover sheet	1053 130	1053 130	Non-English specification	1812 2,520	1812 2,520	For filing a request for ex parte reexamination	1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	1251 110	2251 55	Extension for reply within first month	1252 420	2252 210	Extension for reply within second month	1253 950	2253 475	Extension for reply within third month	1254 1,480	2254 740	Extension for reply within fourth month	1255 2,010	2255 1,005	Extension for reply within fifth month	1401 330	2401 185	Notice of Appeal	1402 330	2402 165	Filing a brief in support of an appeal	1403 280	2403 145	Request for oral hearing	1451 1,510	1451 1,510	Petition to institute a public use proceeding	1452 110	2452 65	Petition to revive - unavoidable	1453 1,330	2453 665	Petition to revive - unintentional	1501 1,330	2501 665	Utility issue fee (or reissue)	1502 480	2502 240	Design issue fee	1503 840	2503 320	Plant issue fee	1460 130	1460 130	Petitions to the Commissioner	1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	1808 180	1808 180	Submission of Information Disclosure Stmt	8021 40	8021 40	Recording each patent assignment per property (times number of properties)	1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.128(a))	1810 770	2810 385	For each additional invention to be examined (37 CFR 1.128(b))	1801 770	2801 385	Request for Continued Examination (RCE)	1802 900	1802 900	Request for expedited examination of a design application
Large Entity	Small Entity																																																																																														
Fee Code (\$)	Fee Code (\$)																																																																																														
1051 130	2051 86	SurchARGE - late filing fee or oath																																																																																													
1052 50	2052 25	SurchARGE - late provisional filing fee or cover sheet																																																																																													
1053 130	1053 130	Non-English specification																																																																																													
1812 2,520	1812 2,520	For filing a request for ex parte reexamination																																																																																													
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action																																																																																													
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action																																																																																													
1251 110	2251 55	Extension for reply within first month																																																																																													
1252 420	2252 210	Extension for reply within second month																																																																																													
1253 950	2253 475	Extension for reply within third month																																																																																													
1254 1,480	2254 740	Extension for reply within fourth month																																																																																													
1255 2,010	2255 1,005	Extension for reply within fifth month																																																																																													
1401 330	2401 185	Notice of Appeal																																																																																													
1402 330	2402 165	Filing a brief in support of an appeal																																																																																													
1403 280	2403 145	Request for oral hearing																																																																																													
1451 1,510	1451 1,510	Petition to institute a public use proceeding																																																																																													
1452 110	2452 65	Petition to revive - unavoidable																																																																																													
1453 1,330	2453 665	Petition to revive - unintentional																																																																																													
1501 1,330	2501 665	Utility issue fee (or reissue)																																																																																													
1502 480	2502 240	Design issue fee																																																																																													
1503 840	2503 320	Plant issue fee																																																																																													
1460 130	1460 130	Petitions to the Commissioner																																																																																													
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)																																																																																													
1808 180	1808 180	Submission of Information Disclosure Stmt																																																																																													
8021 40	8021 40	Recording each patent assignment per property (times number of properties)																																																																																													
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.128(a))																																																																																													
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.128(b))																																																																																													
1801 770	2801 385	Request for Continued Examination (RCE)																																																																																													
1802 900	1802 900	Request for expedited examination of a design application																																																																																													
The Director is authorized to: (check all that apply)																																																																																															
<input type="checkbox"/> Charge fee(s) indicated below <input type="checkbox"/> Credit any overpayments <input type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s) <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.																																																																																															
FEE CALCULATION																																																																																															
1. BASIC FILING FEE																																																																																															
Large Entity		Small Entity		Fee Description																																																																																											
Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Paid																																																																																											
1001 770	2001 385	Utility filing fee																																																																																													
1002 340	2002 170	Design filing fee																																																																																													
1003 530	2003 285	Plant filing fee																																																																																													
1004 770	2004 385	Reissue filing fee																																																																																													
1005 160	2005 80	Provisional filing fee																																																																																													
SUBTOTAL (1) (\$0)																																																																																															
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE																																																																																															
Total Claims		Extra Claims below		Fee from Fee Paid																																																																																											
Independent Claims		-20** = <input type="text"/> X <input type="text"/> = <input type="text"/>																																																																																													
Multiple Dependent		- 3** = <input type="text"/> X <input type="text"/> = <input type="text"/>																																																																																													
SUBTOTAL (2) (\$0)																																																																																															
Other fee (specify)																																																																																															
*Reduced by Basic Filing Fee Paid.																																																																																															
SUBTOTAL (3) (\$0.00)																																																																																															

SUBTOTAL (2) **(3)** -
The amount previously paid, if greater. For business, see above.

SUBMITTED BY		(Complete if applicable)		
Name (Print/Type)	David S Alavi	Registration No. (Attorney/Agent)	40310	Telephone 541-888-8462
Signature			Date	08/16/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.